

### REMARKS

Claims 1-7, 20, 37-44, 51-56, 62, 64-70, 83, 91-98, 105-111, 125, 126, and 134 are pending; Claims 1, 3, 6, 37, 51, 64, 69, 91, 105, and 125 are independent. Claims 134-147 were previously added. Claim 3 has been amended. No new matter has been added.

### 35 U.S.C. § 101 REJECTIONS

Claims 64-70, 83, 91-98, 105-111, and 125-126 are rejected under 35 U.S.C. § 101 as being directed to non-statutory subject matter.

The rejection asserts that these claims are unpatentable as being “software per se,” relying upon a “requirement for tangible result” recited in *State Street Bank & Trust Co.* Applicants note that the underlying test for patentable subject matter has changed since this rejection was written, in view of *In re Bilski* (Fed. Cir. 2008). Accordingly, Applicants respectfully assert that the current rejection relies upon an invalid rationale.

### 35 U.S.C. § 102(e) REJECTIONS

Claims 1-2, 5-7, 20, 37-41, 51-54, 64-65, 68-70, 83, 91-95, 105-110, 125-126, and 134 are rejected under 35 U.S.C. § 102(e) as being anticipated by Arora, U.S. Patent Pub. 2004/00114049.

As regards Claims 1-2, 5-7, 20, 37-41, 64-65, 68-70, 83, 91-95, and 134, the Examiner is respectfully directed to independent Claim 1, which recites that an

embodiment of the present invention is directed to:

A method, including steps of adjusting an aspect ratio of a display screen in response to a remote database, the database including information associating aspect ratio information with media streams

Independent Claims 6, 37, 64, 69, and 91 recite similar limitations. Claims 2, 5, 7, 20, 38-41, 65, 68, 70, 83, 92-95, and 134 are dependent upon one or another of these independent Claims, and recite further features of the claimed embodiments.

The present rejection suggests that Arora recites every limitation of the pending Claims. Applicants respectfully disagree, and contend that Arora fails to teach or suggest a method including adjusting an aspect ratio *of a display screen* in response to a remote database, as claimed.

Applicants understand Arora to purport to describe an approach for excluding extraneous portions of an analog video stream (Abstract). Specifically, the described approach involves modifying the aspect ratio *of the video stream* by processing the video stream to remove the black bars sometimes used to present widescreen video content on a 4:3 aspect ratio display (*see, e.g.,* [0010], [0020]). The approach of Arora is thus very clearly directed towards modifying a video stream.

The present Claims require modification of the aspect ratio *of a display screen*, rather than modification of the video stream being transmitted thereto. As noted in the accompanying specification, one example of such modification involves moving physical mask and/or sidebar elements to adjust the actual proportions of the screen (*see, e.g.,* Fig.

2 and associated description). Arora neither teaches nor suggests such a limitation.

Accordingly, Arora fails to anticipate or render obvious the limitations of the claimed embodiments.

As regards Claims 51-54 and 105-110, the Examiner is respectfully directed to independent Claim 51, which recites that an embodiment is directed to:

A method, including steps of selecting a target location on a display for each of a first and a second element of a video stream in response to a remote first database, said first database including information associating the first element of the media stream with some combination of aspect ratio, horizontal size, vertical size, resolution, anamorphic compression, and letterboxing

Independent Claim 105 recites similar limitations. Claims 52-54 and 106-110 are dependent on one or the other of these independent Claims, and recite further features of the claimed embodiments.

The present rejection suggests that Arora recites every limitation of the pending Claims. Applicants respectfully disagree, and contend that Arora fails to teach or suggest a method including selecting a target location on a display, as claimed.

The Examiner is respectfully directed to Applicants' understanding of Arora, above. Applicants further note that Arora offers no discussion of selecting a target location on a display, as claimed, nor does the present rejection indicate which portion of Arora is considered to describe this limitation. Accordingly, Applicants respectfully assert that Arora fails to anticipate or render obvious the limitations of the claimed embodiments.

As regards Claims 125-126, the Examiner is respectfully directed to independent Claim 125, which recites that an embodiment of the present invention is directed to:

Apparatus including

means for generating a request, said request indicating a media stream available from a first server;

means for transmitting said request from said first server to a second server; and

means for identifying at least one media stream and at least one set of metadata associated with said request, said metadata including at least one set of aspect ratio information.

Claim 126 is dependent upon claim 125, and recites further features of the claimed embodiments.

The present rejection suggests that Arora recites every limitation of the pending Claims. Applicants respectfully disagree, and contend that Arora fails to teach or suggest means for generating a request indicating a media stream available from a first server, as claimed.

The Examiner is respectfully directed to Applicants' understanding of Arora, above. Applicants further note that Arora does not teach or suggest requesting media streams available from a server, as claimed. Accordingly, Applicants respectfully contend that Arora fails to anticipate or render obvious the limitations recited in the claimed embodiments.

Therefore, Applicants respectfully contend that Claims 1-2, 5-7, 20, 37-41, 51-54, 64-65, 68-70, 83, 91-95, 105-110, 125-126, and 134 overcome the basis for rejection

under 35 U.S.C. § 102(e), and are in condition for allowance.

35 U.S.C. § 103(a) REJECTIONS

Claims 3-4, 43, 66-67, and 97 are rejected under 35 U.S.C. § 103(a) as being obvious over Arora, in view of Sie et al., U.S. Patent Pub. 2004/0212731.

The Examiner is respectfully directed to independent Claim 3, which recites that an embodiment is directed to:

A method, including steps of  
adjusting an aspect ratio of a display screen in response to input  
from a viewer; and  
sending the adjusted aspect ratio to a remote database.

Independent Claims 1, 37, 64, and 91 recite similar limitations. Claims 4, 43, 66-67, and 97 are dependent upon one or another of these independent claims, and recite further features of the claimed embodiments.

The Examiner is respectfully directed to the analysis of Arora presented above as regards Claim 1. As discussed therein, Applicants respectfully contend that Arora fails to teach or suggest adjusting an aspect ratio of a display screen, as claimed. Sie fails to remedy this defect in Arora, as Sie similarly fails to teach or suggest adjusting an aspect ratio of a display screen, as claimed.

Therefore, Arora, alone or in combination with Sie, fails to anticipate or render obvious the limitations of the claimed embodiments. Accordingly, Applicants respectfully contend that Claims 3-4, 43, 66-67, and 97 overcome the rejection under 35

U.S.C. § 103(a), and are in condition for allowance.

Conclusion

In light of the above-listed amendments and remarks, Applicants respectfully request allowance of the remaining Claims.

The Examiner is urged to contact Applicants' undersigned representative if the Examiner believes such action would expedite resolution of the present Application.

Respectfully submitted,

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